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Attorneys for McKinsey Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: MCKINSEY & CO., INC. NATIONAL
PRESCRIPTION OPIATE CONSULTANT
LITIGATION

This Document Relates to: ALL ACTIONS

) Case No. 3:21-md-02996-CRB (SK)

) [Assigned to the Hon. Charles R. Breyer]

) **STIPULATION AND ~~[PROPOSED]~~**
) **ORDER REGARDING PAGE LIMITS**
) **FOR BRIEFING ON RULE 12(b)(6)**
) **MOTION TO DISMISS**

STIPULATION

WHEREAS, the Court previously entered a briefing schedule directing McKinsey to file its Rule 12(b)(6) motion to dismiss by January 9, 2023; Plaintiffs to file an opposition to that motion to dismiss by March 3, 2023; and McKinsey to file its reply by April 7, 2023 (Dkt. 445);

WHEREAS, McKinsey's motion seeks dismissal of the three Master Consolidated Complaints of the NAS Plaintiffs (Dkt. 298), Third-Party Payor Plaintiffs (Dkt. 299), and Tribal Plaintiffs (Dkt. 300);

WHEREAS, given the approximately 20 claims asserted across those three Master Consolidated Complaints, totaling 3,049 paragraphs and 625 pages, McKinsey believes the issues it intends to raise by its single memorandum of points and authorities in support of its motion to dismiss cannot be addressed adequately within the number of pages contemplated by the local rules and this Court's standing orders;

WHEREAS, the parties have met and conferred about extending page limits given these limitations;

WHEREAS, the parties have agreed on extending page limits for McKinsey's opening memorandum of points and authorities in support of its motion to dismiss, Plaintiffs' memorandum of points and authorities in opposition to that motion, and McKinsey's reply memorandum of points and authorities in support of that motion;

NOW, THEREFORE, the parties hereby agree and stipulate to the following page limits for McKinsey's motion to dismiss:

Motion to dismiss

Opening Memorandum of Points and Authorities: 60 pages

Opposition Memorandum of Points and Authorities: 60 pages

Reply Memorandum of Points and Authorities: 30 pages

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2 IT IS SO STIPULATED.

3 Dated: January 4, 2023

MORRISON & FOERSTER LLP
MARK DAVID McPHERSON

5 By: /s/ Mark David McPherson
6 Mark David McPherson

7 Attorneys for Defendants

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9 LIEFF CABRASER HEIMANN & BERNSTEIN,
10 LLP
11 ELIZABETH J. CABRASER


12 By: /s/ Elizabeth J. Cabraser
13 Elizabeth J. Cabraser

14 Lead Counsel for Plaintiffs

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17 **~~PROPOSED~~ ORDER**

18 Pursuant to stipulation, and for good cause shown, IT IS SO ORDERED.

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20 DATED: January 5, 2023


21 CHARLES R. BREYER
22 UNITED STATES DISTRICT JUDGE
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